

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JONATHAN BENSON,	§	
	§	No. 142, 2006
Respondent Below,	§	
Appellant,	§	Court Below: Family Court
	§	of the State of Delaware in v.
	§	and for New Castle County
	§	
BARBARA JOHNSTON,	§	
	§	File No. CN05-04082
Petitioner Below,	§	
Appellee.	§	

ORDER

This 18th day of August 2006, it appears to the Court that:

(1) By letter dated April 17, 2006, the Senior Court Clerk advised the appellant, Jonathan Benson, that the Family Court filing fee was overdue and must be paid on or before May 1, 2006. Benson did not submit the required fee to the Family Court.

(2) On May 5, 2006, the Clerk issued a notice directing that Benson show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for his failure to diligently prosecute the appeal. Benson did not respond to the notice to show cause. The dismissal of Benson's appeal is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice